

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BRIAN D. RASHID,

Defendant-Appellant.

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UNPUBLISHED

April 30, 1999

No. 205518

Oakland Circuit Court

LC No. 96-144931 FH

96-144932 FH

Before: Kelly, P.J., and Neff and Smolenski, JJ.

MEMORANDUM.

In lower court docket no. 96-144931-FH, defendant pleaded guilty to delivery of 50 grams or more, but less than 225 grams, of cocaine, MCL 333.7401(1) and (2)(a)(iii); MSA 14.15(7401)(1) and (2)(a)(iii), and received a sentence of ten to twenty years' imprisonment. In lower court docket no. 96-144932-FH, defendant pleaded guilty to delivery of 50 grams of more, but less than 225 grams, of cocaine, and possession with intent to deliver marijuana, MCL 333.7401(1) and (2)(d)(iii); MSA 14.15(7401)(1) and (2)(d)(iii), and received consecutive sentences of ten to twenty years' imprisonment and one to four years' imprisonment, respectively. The sentences imposed in docket no. 96-144932-FH are to be served consecutively to the sentence imposed in docket no 96-144931-FH. Defendant appeals by leave. We affirm. These cases are being decided without oral argument pursuant to MCR 7.214(E).

Although defendant lacked a criminal history, had gainful employment and cooperated with law enforcement authorities, the trial court did not abuse its discretion when it concluded that these factors, as well as other factors offered, did not constitute substantial and compelling reasons to depart from the statutory minimum sentences, particularly in light of the amount of controlled substances distributed or possessed and the amount of money seized, factors which reflect defendant's substantial involvement in the trafficking of controlled substances. *People v Fields*, 448 Mich 58, 76-79; 528 NW2d 176 (1995); *People v Johnson (On Remand)*, 223 Mich

App 170, 172-174; 566 NW2d 28 (1997); *People v Ealy*, 222 Mich App 508, 512; 564 NW2d 168 (1997).

Affirmed.

/s/ Michael J. Kelly

/s/ Janet T. Neff

/s/ Michael R. Smolenski